

Remarks

The Office Action mailed June 1, 2005 has been carefully reviewed and the following remarks are made in consequence thereof.

Claims 1-3, 5-8, 10-12, 14-16, 20-24, and 26-28 are now pending in this application. Claims 4, 9, 13, 17-19, and 25 have been canceled without prejudice, waiver, or disclaimer. Claims 8, 10-12, 14-16, 20-24, and 26-28 are allowed. Claims 1-3 and 5-7 are rejected. Claim 1 has been amended. No new matter has been added.

The rejection of Claims 1-3 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Raab et al. (U.S. Patent 5,751,967) in view of Hakim (U.S. Patent 6,760,748) is respectfully traversed.

Raab et al. describe a system (100) including a routing device (110) that may be used for routing appropriate signals to the remainder of the system via receipt and forwarding of appropriate packets to a fast Ethernet switch (120) (column 4, lines 23-28). The fast Ethernet switch may be any number of commercially available fast Ethernet switches which support the creation of VLANs and which are available from various manufacturers, such as those conforming to IEEE standard 802.13 or 802.14 (column 4, lines 28-33).

Hakim describes an Ethernet Access Point that is a transparent bridge between a wired Ethernet port and a wireless radio interface (column 42, lines 50-51). The bridge can be configured through a command line interface accessed via its Configuration, Ethernet, or Radio ports (column 42, lines 51-53).

Claim 1 recites a feature laden Ethernet switch comprising “a plurality of ports, said Ethernet switch configured to be operable above a temperature of approximately 55° C, said switch further configured to support at least one high-end feature, and said Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial

environment network within an industrial environment other than a temperature controlled environment; and a plurality of diagnostic contacts comprising a contact for each said port.”

Neither Raab et al. nor Hakim, considered alone or in combination, describe or suggest a feature laden Ethernet switch as recited in Claim 1. Specifically, neither Raab et al. nor Hakim, considered alone or in combination, describe or suggest the Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an industrial environment other than a temperature controlled environment. Rather, Raab et al. describe a fast Ethernet switch that supports the creation of VLANs and conforming to IEEE standard 802.13 or 802.14. Hakim describes an Ethernet Access Point that is a transparent bridge between a wired Ethernet port and a wireless radio interface. Accordingly, neither Raab et al. nor Hakim, considered alone or in combination, describe or suggest the Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an environment other than a temperature controlled environment. For the reasons set forth above, Claim 1 is submitted to be patentable over Raab et al. in view of Hakim.

Claims 2, 3, and 7 depend from independent Claim 1. When the recitations of Claims 2, 3, and 7 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3, and 7 likewise are patentable over Raab et al. in view of Hakim.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-3 and 7 be withdrawn.

The rejection of Claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Raab et al. in view of Hakim, and further in view of that which is well-known in the art is respectfully traversed.

Raab et al. and Hakim are described above.

Claim 5 depends from independent Claim 1 which recites a feature laden Ethernet switch comprising “a plurality of ports, said Ethernet switch configured to be operable above a temperature of approximately 55° C, said switch further configured to support at least one high-end feature, and said Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an industrial environment other than a temperature controlled environment; and a plurality of diagnostic contacts comprising a contact for each said port.”

None of Raab et al., Hakim, or that which is well-known in the art, considered alone or in combination, describe or suggest a feature laden Ethernet switch as recited in Claim 1. Specifically, none of Raab et al., Hakim, or that which is well-known in the art, considered alone or in combination, describe or suggest the Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an industrial environment other than a temperature controlled environment. Rather, Raab et al. describe a fast Ethernet switch that supports the creation of VLANs and conforming to IEEE standard 802.13 or 802.14. Hakim describes an Ethernet Access Point that is a transparent bridge between a wired Ethernet port and a wireless radio interface. Accordingly, none of Raab et al., Hakim, or that which is well-known in the art, considered alone or in combination, describe or suggest the Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an environment other than a temperature controlled environment. For the reasons set forth above, Claim 1 is submitted to be patentable over Raab et al. in view of Hakim and further in view of that which is well-known in the art is respectfully traversed.

When the recitations of Claim 5 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 5 likewise is patentable over Raab et al. in view of Hakim and further in view of that which is well-known in the art.

Moreover, Compaq (Quickspecs, Compaq SW5425 Desktop Gigabit Ethernet Switch available at http://h18002.www1.hp.com/products/quickspecs/10090_div/10090_div.html) describes a Compaq SW5425 desktop gigabit Ethernet switch (page 2). The SW5425 uses the IEEE 802.1Q draft standard and supports up to 256 VLANs (page 2). The switch also supports protocol and port based VLANs that are not covered in the standard (page 2).

Applicants respectfully traverse a plurality of statements on pages 3 and 4 of the Office Action. The statements state, "Examiner takes official notice that it is well-known to one of ordinary skill in the art at the time of the invention to be motivated to implement an audible alarm to indicate that a failure has occurred because of its noticeable impact. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement an audible alarm to indicate a fault with the combined teachings of Raab and Hakim's communication systems...indicator."

Applicants respectfully request that the Examiner provide documentary evidence describing a feature laden Ethernet switch configurable in at least one of an audible failure mode and an auto-enunciation mode as recited in Claim 5. If Applicant adequately traverses the Examiner's assertion of official notice, the Examiner must provide documentary evidence in the next office action if the rejection is to be maintained (MPEP § 2144.03(C)). Applicants respectfully submit that a feature laden Ethernet switch configurable in at least one of an audible failure mode and an auto-enunciation mode is not well-known in the art because none of Raab et al., Hakim, or Compaq considered alone or in combination, describe or suggest the Ethernet switch. Rather, Raab et al. describe a fast Ethernet switch that supports the creation of VLANs and conforming to IEEE standard 802.13 or 802.14. Hakim describes an Ethernet Access Point that is a transparent bridge between a wired Ethernet port and a wireless radio interface. Compaq describes a Compaq SW5425 desktop gigabit Ethernet switch that supports protocol and port based VLANs that are not covered in the IEEE 802.1Q draft standard. Accordingly, Applicants respectfully submit that a feature laden Ethernet switch

configurable in at least one of an audible failure mode and an auto-enunciation mode is not well-known in the art and respectfully request that the Examiner provide documentary evidence describing the Ethernet switch recited in Claim 5.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claim 5 be withdrawn.

The rejection of Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Raab et al. in view of Hakim and further in view of Compaq is respectfully traversed.

Raab et al., Hakim, and Compaq are described above.

Claims 6 depends on independent Claim 1 which recites a feature laden Ethernet switch comprising “a plurality of ports, said Ethernet switch configured to be operable above a temperature of approximately 55° C, said switch further configured to support at least one high-end feature, and said Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an industrial environment other than a temperature controlled environment; and a plurality of diagnostic contacts comprising a contact for each said port.”

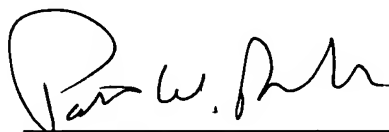
None of Raab et al., Hakim, or Compaq, considered alone or in combination, describe or suggest a feature laden Ethernet switch as recited in Claim 1. Specifically, none of Raab et al., Hakim, or Compaq, considered alone or in combination, describe or suggest the Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an industrial environment other than a temperature controlled environment. Rather, Raab et al. describe a fast Ethernet switch that supports the creation of VLANs and conforming to IEEE standard 802.13 or 802.14. Hakim describes an Ethernet Access Point that is a transparent bridge between a wired Ethernet port and a wireless radio interface. Compaq describes a Compaq SW5425 desktop gigabit Ethernet switch that

supports protocol and port based VLANs that are not covered in the IEEE 802.1Q draft standard. Accordingly, none of Raab et al., Hakim, or Compaq, considered alone or in combination, describe or suggest the Ethernet switch configured to separate, into a plurality of virtual local area networks, an industrial environment network within an environment other than a temperature controlled environment. For the reasons set forth above, Claim 1 is submitted to be patentable over Raab et al. in view of Hakim and further in view of Compaq.

When the recitations of Claim 6 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 6 likewise is patentable over Raab et al. in view of Hakim and further in view of Compaq.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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